

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

CHARLES LORENZO GREGORY,

Civil No. 12-1736 MJD/AJB

Plaintiff,

v.

O R D E R

MICHAEL MENARD,

Defendant.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Arthur J. Boylan dated September 25, 2012, all the files and records, and no objections having been filed to said Recommendation,

IT IS HEREBY ORDERED that:

1. Plaintiff's application to proceed in forma pauperis, (Docket No. 2), is **DENIED**;
2. This action is **SUMMARILY DISMISSED** pursuant to 28 U.S.C. § 1915A(b);
3. Plaintiff is required to pay the unpaid balance of the Court filing fee, namely \$291.97, in accordance with 28 U.S.C. § 1915(b)(2); and
4. For purposes of 28 U.S.C. § 1915(g), this action is dismissed "on the grounds that it is frivolous, malicious, or fails to state a claim on which relief may be granted."

DATED: October 26, 2012

s/Michael J. Davis
Chief Judge Michael J. Davis
U. S. District Court